

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LIGHTHOUSE RESOURCES INC.;
LIGHTHOUSE PRODUCTS, LLC; LHR
INFRASTRUCTURE, LLC; LHR COAL,
LLC; and MILLENNIUM BULK
TERMINALS-LONGVIEW, LLC,

Plaintiff,

vs.

JAY INSLEE, in his official capacity as
Governor of the State of Washington;
MAIA BELLON, in her official capacity as
Director of the Washington Department of
Ecology; and HILARY S. FRANZ, in her
official capacity as Commissioner of Public
Lands,

Defendants.

NO. 3:18-cv-05005-RJB

LIGHTHOUSE STATEMENT
OF POSITION RE: STATUS CONFERENCE

Plaintiff Lighthouse Resources, Inc. and its related parties ("Lighthouse")
submits this statement of its position on scheduling matters likely to be discussed
during tomorrow's Status Conference.

LIGHTHOUSE STATEMENT OF POSITION
RE: STATUS CONFERENCE- 1 OF 4
(3:18-cv-05005-RJB)
[4822-5378-3084]

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1 Lighthouse has reviewed the Status Conference Statement (Dkt 54) filed by
 2 Intervenor-Plaintiff BNSF Railway Company ("BNSF"), and generally agrees with its
 3 suggestions.

4 Lighthouse's greatest concern is that there be no additional delay in the
 5 commencement of discovery. The FRCP 26(f) Conference, Initial Disclosures and
 6 Combined Status Report deadlines have already been extended by 30 days. Lighthouse
 7 does not believe that good cause exists for any further delay. For this reason,
 8 regardless of how the Court rules on the briefing schedule for the State Defendants'
 9 Motion for Partial Dismissal ("Motion")(Dkt 20), Lighthouse respectfully requests that
 10 there be no further extension of the deadlines for the commencement of the discovery
 11 process.
 12

13 As to the briefing schedule on the State Defendants' Motion, Lighthouse agrees,
 14 that if the State Defendants intend to file a 12(b)(6) motion against BNSF, BNSF's
 15 briefing proposal will be the most efficient process for the briefing, argument and
 16 consideration by the Court. Lighthouse nevertheless remains prepared to file its
 17 opposition brief on April 12 as currently scheduled.
 18

19 Dated this 9th day of April, 2018.
 20

21 GORDON THOMAS HONEYWELL, LLP
 22

23 By: s/Bradley B. Jones

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LIGHTHOUSE STATEMENT OF POSITION
 RE: STATUS CONFERENCE- 2 OF 4
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LIGHTHOUSE STATEMENT OF POSITION
RE: STATUS CONFERENCE— 3 OF 4
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CERTIFICATE OF SERVICE

I hereby certify that on April 9, 2018, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of the filing to all counsel of record.

By: s/Savanna L. Stevens
Savanna L. Stevens
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LIGHTHOUSE STATEMENT OF POSITION
RE: STATUS CONFERENCE— 4 OF 4
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